

Appl. No. 09/945,524
Amdt. dated March 21, 2005
Reply to Office action mailed November 23, 2004

REMARKS/ARGUMENTS

The applicant wished to thank the examiner for taking the time to have a telephone interview with the undersigned attorney to explore possible amendments which would alleviate the examiner's objections.

Specification

Paragraphs [0005], [0007.1], [0007.2] and [00016] have been amended to clarify the fact that the web path is a structural element of the apparatus rather than being associated with the substrate. The support for this amendment may be found both in paragraph 7 where there is a reference to "position outside the web path of the laminator" and in figure 4.

Claims

Claims 19, 32, 42 and 43 have been amended to refer to the web path as a structural element of the apparatus. Claims 36, 39 and 40 have been cancelled. No new matter has been added. Support may be found for the amendment in paragraphs, 5, 7, 7.1, 7.2 and 16 of the specification and in figure 4 of the drawings.

Claims Rejections – 35 USC § 112

The Examiner has rejected claims 36, 39 and 40 under 35 USC § 112, first paragraph as failing to comply with the written description requirement as the application as originally filed makes no reference that the communication means includes infrared signals, or that the edge position measuring system is a motion system or an infrared system.

The applicant hereby cancels claim 36, 39 and 40 with traverse.

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Claims Rejections - 35 USC § 102

The Examiner has rejected claims 19, 30, 31, 41 and 43 under 35 USC § 102(b) as being anticipated by Hartman (US 5,759,339). The Examiner has also rejected claims 19-23, 30, 31, 41 and 43 as being anticipated by Persson (US 4,995,937).

As the applicant understands the examiner's objections, they are essentially based on the fact that the expression "the web width not exceeding a certain maximum width" found in the independent claims is "undefined relative to apparatus structure in these claims". The applicant has amended all independent claims being claims 19, 32 and 42 to replace a reference to a "certain maximum width" by a reference to the "web path" and to clarify that such web path is a structural feature of the apparatus and not merely a characteristic of the substrate. Dependent claims 41 and 43 have also been similarly amended.

The applicant believes that the claims as currently amended are now patentably distinct from Hartman and Persson.

In view of the above, the examiner is respectfully requested to withdraw the 102(b) rejection.

Claims Rejections - 35 USC § 103

The Examiner has rejected claims 23 to 29 under 35 USC § 103(a) as being unpatentable over Persson in view of Hartman.

In view of the amendment made to claim 19 described above and because claims 23 to 29 are dependent from claim 19, the applicant respectfully requests that this rejection be withdrawn.

The Examiner has also rejected claims 32 to 34, 36 to 39 and 42 under 35 USC § 103(a) as being unpatentable over Persson and Hartman in view of Shea. Again, the examiner refers to "a certain maximum width which is undefined relative to apparatus structure in the claim".

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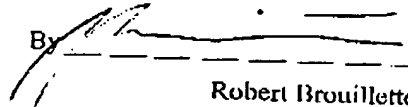
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Because independent claims 32 and 42 have been amended to refer to the web path rather than to "a certain maximum width" and to clarify that such web path is a structural element of the apparatus, the applicant believes that the examiner's objections are now moot. Claims 36 and 39 have been cancelled. The other remaining rejected claims being dependent on either claim 32 or claim 42, the applicant respectfully request that the 103(a) objection be withdrawn with respect to all of the claims.

The applicant believes that all pending claims are now in condition for allowance. Early and favourable action is respectfully requested.

In the event another Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge to my credit card any such fees for the cost of such extension.

Respectfully submitted,
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